

SERVED : February 4, 1993

NTSB Order No. EA-3788

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD
at its office in Washington, D.C.
on the 28th day of January, 1993

_____)
JOSEPH M. DEL BALZO,
Acting Administrator,
Federal Aviation Administration,)

Complainant,

Docket SE-10685

v.

TIMOTHY J. BROWN,

Respondent.

_____)

ORDER DENYING RECONSIDERATION

The respondent has filed petition under section 821.50 of the Board's Rules of Practice, 49 C.F.R. Part 821, seeking reconsideration of our decision in NTSB Order No. EA-3698 (Served October 27, 1992), wherein we upheld the suspension of his commercial pilot certificate for 120 days on allegations of violations of sections 135.3, 135.293(a) and (b), 135.343, 135.33(b), and 91.9 of the Federal Aviation Regulations (FAR) , 14 C.F.R. Parts 135 and 91.

Upon consideration of respondent's petition, which for the most part raises matters previously considered and rejected, as well as the Administrator's response in opposition, we have

determined that the petition does not set forth any valid basis for altering in any way our original decisional

ACCORDINGLY, IT IS ORDERED THAT:

The respondent's petition for reconsideration of Board Order No. EA-3698 is denied.

VOGT , Chairman, COUGHLIN, Vice Chairman, LAUBER, HART, and HAMMERSCHMIDT , Members of the Board, concurred in the above order.

¹Respondent notes a misstatement contained in Order EA-3698 regarding the flights into Canada on July 2 and July 5, 1987. We intended to state that, while the Administrator failed to produce load manifests showing that the flights were charter operations, he did produce invoices from BEA to Northtown Suburu, its regular customer for Part 135 operations, billing for the round-trip. The invoices, coupled with the other evidence discussed in our decision and in light of the legal precedent cited in our analysis, sufficiently support the findings as to those flights.